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9 THE WALT DISNEY COMPANY and HULU  
10

11 UNITED STATES DISTRICT COURT  
12  
13 NORTHERN DISTRICT OF CALIFORNIA  
14  
15 SAN FRANCISCO DIVISION

16 IN RE GOOGLE PLAY STORE  
17 ANTITRUST LITIGATION

18 THIS DOCUMENT RELATES TO:

19 *Epic Games, Inc. v. Google LLC, et al.*  
20 Case No. 3:20-cv-05671-JD

Case No. 3:21-md-02981-JD

**DECLARATION OF MATTHEW  
ACCORNERO IN SUPPORT OF NON-  
PARTIES THE WALT DISNEY  
COMPANY AND HULU'S MOTION TO  
SEAL PORTIONS OF TRIAL EXHIBITS  
520 AND 523**

Judge: Hon. James Donato

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DECLARATION OF MATTHEW ACCORNERO IN SUPPORT OF NON-PARTIES THE WALT DISNEY  
COMPANY AND HULU'S MOTION TO SEAL PORTIONS OF TRIAL EXHIBITS 520 AND 523

Case No. 3:21-md-02981-JD

2402588

1 I, Matthew Accornero, declare as follows:

2 1. I am Assistant General Counsel at The Walt Disney Company (“TWDC”). In my  
3 current role, I am responsible for Antitrust issues in North America and Latin America. Based on  
4 my work experience, I am familiar with the way in which TWDC and Hulu handle confidential  
5 business information. TWDC and Hulu keeps such information confidential to protect itself from  
6 potential competitive and commercial harm.

7 2. I respectfully submit this declaration pursuant to Civil Local Rule 79-5 in support  
8 of TWDC’s and Hulu’s motion to seal the nonpublic highly confidential information in portions  
9 of Trial Exhibits 520 and 523, identified below, and to prevent its presentation and discussion in  
10 open court. As detailed below, there are compelling reasons to seal this highly confidential  
11 material.

12 3. I first received notice that TWDC or Hulu confidential information may be  
13 disclosed in this action at 11:34 PM on November 6, 2023, via email sent by Google’s counsel. I  
14 did not review that email until mid-afternoon on November 7. As a non-party in this action that  
15 has never been subject to discovery or involved in any way, TWDC lacked counsel of record in  
16 this case. I immediately set about attempting to retain counsel. But given the short deadline, I was  
17 unable to seek to seal certain exhibits that I understand may have been introduced or discussed at  
18 trial on November 8, 2023.

19 4. I received a copy of Trial Exhibits 520 and 523 on the evening of November 7,  
20 2023, via email sent by Google’s counsel. I understand that these exhibits may be presented in  
21 open court on November 9, 2023. I further understand that these exhibits have been designated  
22 “Non-Party Highly Confidential – Outside Counsel Eyes Only” under the stipulated protective  
23 order entered in this case.

24 5. I have reviewed page 029 of Trial Exhibit 520 and page 019 of Trial Exhibit 523.  
25 The portions of the documents highlighted by counsel for Google contain TWDC’s and Hulu’s  
26 highly confidential information, including information that reflects highly confidential/sensitive  
27 business information relating to TWDC’s and Hulu’s business relationship and contracts with  
28 Google, and assessments and reflections relating to TWDC’s and Hulu’s products, business, and

negotiating strategy that TWCD and Hulu consider highly sensitive information that TWDC and Hulu keep confidential in the ordinary course of business and under contract with Google. TWDC and Hulu view this information as confidential and sensitive business information, have not made it public (nor is it public, to TWDC's or Hulu's knowledge), and the disclosure of this information is likely to result in substantial competitive or commercial disadvantage to TWDC and Hulu.

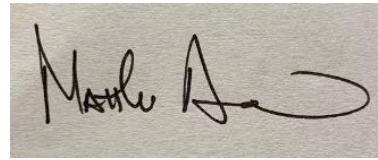
6. If these portions of the Trial Exhibits were to be made public, material contract terms, financial information, billing practices, pricing strategy, and business strategy will be revealed, harming TWDC and unfairly advantaging our competitors in the marketplace. This is the sort of information that TWDC never shares publicly and shares only with partners pursuant to confidentiality agreements.

7. The chart below summarizes my review of Trial Exhibits 520 and 523:

Exhibit Number (Trial Exhibit No.)	Document Description	Portion to be sealed	Reason(s) for sealing request
Exhibit 520 (GOOG-PLAY 000571104)	PowerPoint Slide re Hulu	Page Exhibit 520- 029, entire slide	Contains competitively sensitive information regarding Hulu's business relationship with Google, and Hulu's internal business strategy and discussions.
Exhibit 523 (GOOG-PLAY 007328856)	PowerPoint Slide re Disney	Pages Exhibit 523, Page 019, entire slide	Contains competitively sensitive information regarding TWDC's business relationship with Google, its contractual negotiations with Google, and TWDC's internal business strategy and discussions.

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1 I declare under penalty of perjury under the laws of the United States a that the foregoing  
2 is true and correct and that this declaration was executed on November 8, 2023 in Los Angeles,  
3 California.

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MATTHEW ACCORNERO  
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**ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

I, Cody S. Harris, attest that concurrence in the filing of this document has been obtained from the other signatory. I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 8, 2023.

  
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CODY S. HARRIS